

**DRAFT - UNAPPROVED**

**Town of Goshen  
Planning Board  
MINUTES OF THE  
WORK SESSION MEETING  
February 3, 2005**

**MEMBERS PRESENT**

Ralph Huddleston, Chairman  
Reynell Andrews  
Lee Bergus  
Susan Cleaver  
Mary Israelski  
John Lupinski

**ALSO PRESENT**

John Cappello, Attorney  
Neal Halloran, Bldg. Insp  
Joe Henry, Engineer  
Michael Marrella, Planner

**ABSENT**

Raymond Myruski

**I. CALL TO ORDER**

Chairman Huddleston called the work session meeting of the Town of Goshen Planning Board to order at 7:35 pm.

**II. PUBLIC HEARING**

**Heritage Estates, S.B.L. 8-1-9.2 & 11-1-98.6**, 256 acres located on Old Chester Road and Brookside Drive in the HR and RU zone with an AQ6, AQ3, scenic road, and stream overlay. Public Scoping Session.

Present for the applicant: James Sweeney, Attorney  
Steve Esposito

Mr. Sweeney noted that public notices were not sent out, so the Board may want to hold the session open. There are two scoping documents – one prepared by the applicant that was sent out with the pos dec information and one that was prepared by AKRF. Mr. Cappello noted that the PB would be taking written comments until February 17.

Ms. Israelski had a number of comments, which she submitted to the applicant and to Mr. Marrella. She preferred the AKRF document and felt that some items could be lessened or eliminated.

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1. The “no build considerations” can be lessened.
2. Air quality studies be eliminated
3. providing simulations of potential impacts may be costly and can be shown in the other ways listed.
4. Perhaps the cultural resource studies could be eliminated.

She would like to see the following added:

1. Chap. V pg. 20 Alt. Layouts should include 1-3 but add to each statement “and pedestrian”
2. No. 4 should stated pedestrian connections to Heritage Trail.
3. No. 5 pedestrian connections to Salesian Park.
4. No. 6 Pedestrian connections to the Village.
5. No. 7 Pedestrian connections to the stream corridor.
6. On pg. 14 “pedestrian” activities analysis should be analyzed but instead pedestrian inactivity due to the lack of safety should be analyzed. Pathways to connect access should be identified as stated above.

Mr. Cappello noted that if there is a DEC permit involved it may be necessary to do the cultural resource studies. He also stated that the “no build” is one of the alternatives that should be considered. It is required, but can be limited in scope. Mr. Huddleston stated that SEQRA will not allow the elimination of the air quality studies, but they can be minor and included in the traffic study. In regard to the issue of simulations, the applicant will use sketches and typical cross sections.

Under the visual impacts, the following viewpoints were agreed on: 1) the two entrances, 2) Knoell Rd., 3) from Brookside. Under groundwater resources, it appears the applicant has made some deviation. Mr. Cappello noted that they would have to demonstrate that they are adhering to the Town protocols. Mr. Esposito stated that they were trying to tailor this to the more relevant geology. This is a site issue rather than a scoping issue. Mr. Henry asked that they adhere to the NYS Stormwater Design Manuals in this section.

As there are several projects going into this area, a coordinated traffic study was suggested. Mr. Esposito stated that the three developers involved have met with the PB consultants and their traffic consultant has put together a list of intersections and has presented a proposal that all agree to in concept. The intersections are as follows:

1. Old Chester Rd. & Bridle Lane
2. Craigville Rd. & Yankee Maid Lane
3. Craigville Rd. & Rte. 207

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4. Craigville Rd. & Oakwood
5. Old Chester Rd. & South St.
6. Sarah Wells Trail & Coleman Rd.
7. Craigville Rd. & Coleman Rd.
8. Craigville Rd. & Brookside
9. Old Chester Rd. & Knoell Rd.
10. Sarah Wells Trail & Rt 207

After discussion, the intersection of Duck Farm Rd and Route 17M and the westbound South St. entrance to 17 & 17m were added. Mr. Esposito explained that they would establish the existing conditions and then use a growth rate to project future impacts. A member of the public asked how long the study would last. He expressed concern over the increase in traffic on 17M when the Quickway gets backed up with summer traffic.

Mr. Lupinski is pleased with the project, especially in regard to the preservation of the Kolk farm. He asked that the applicant's vision of this farm area be described, possibly in the project description section. Mr. Bergus asked about the phasing if they construct a sewer plant. Mr. Sweeney stated that they are hoping to reach an arrangement with the Village. They will put this possible phasing in as an alternative.

Mr. Cappello explained to the public that once this document is agreed upon this will serve as a Table of Contents for the DEIS. Once these have been addressed adequately then there will be a Public Hearing on the DEIS. Comments will be taken and then the applicant will answer these comments in the FEIS. Written comments on the scoping document will be taken until Feb. 17. Mr. Marrella will make the changes to the scoping document that have been discussed and it will be available for the public in the Building Inspector's office after Feb. 11. Mr. Sweeney asked if a notice would be published. It will run in the paper next week.

### III. TOPICS

**Hendler, 10-1-51.2, 52.3 & 52.4 – 91.1** acres located on 6 ½ Station Road and Cheechunk Road, in an RU and CO zone with an AQ6 and scenic road overlay, for a Planned Adult Community and 8-lot residential subdivision. Conservation analysis and constraints map

Present for the applicant: Jane Samuelson

Mr. Golden is acting as counsel to the PB for this project. Ms. Samuelson stated that they have met with Ms. Cleaver and Mr. Halloran regarding environmental concerns. They have authorized an environmental study on the site and

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undertaken an initial water quality test on the existing wells. They have also prepared a Conservation Analysis on both sides of the road and the consultants have reviewed it.

Mr. Golden asked the applicant to come back to the PB to ask if they would authorize the Planner to meet with the applicant to come up with a design that satisfies all parties. There are differences of opinion between the Planner and the applicant on the use of the traditional neighborhood design concept and the hamlet design concept. Mr. Marrella agrees that there needs to be a balance between the two. Mr. Golden explained that the applicant has asked for the assistance of the PB’s consultants and he felt they should ask the PB for to grant that permission. Mr. Huddleston agreed that the PB does not want to take ownership of the project. He explained to the applicant that when the board asks their consultants to work with an applicant, they are asking them to guide them in relation to the code.

Ms. Cleaver asked if the applicant could incorporate trails in the design consideration. Ms. Samuelson replied that they have contacted the Audubon Society regarding connection to the bird sanctuary and would like to connect to the Heritage Trail.

VOTE By Proper MOTION, made by Ms. Israelski, seconded by Mr. Bergus, the Planning Board of the Town of Goshen hereby accepts the Conservation Analysis Findings as modified by AKRF and presented below. Passed unanimously.

Mr. Andrews	Aye	Mr. Huddlestoni	Aye
Mr. Bergus	Aye	Ms. Israelski	Aye
Ms. Cleaver	Aye	Mr. Lupinski	Aye

**CONSERVATION ANALYSIS FINDINGS  
TOWN OF GOSHEN**

NAME OF PROJECT: HENDLER PROPERTY  
S/B/L: 10-1-56.3  
ZONING DISTRICT: RU AND CO

DATE: February 3, 2005

RESOLUTION TO APPROVE THE “CONSERVATION ANALYSIS” FOR  
HENDLER PROPERTY:

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WHEREAS, the Planning Board reviewed the "Conservation Analysis" map, dated 1/26/05, prepared by Engineering Properties, PC per the requirements of § 97-20B of the Town Code.

WHEREAS, the Planning Board's professional staff examined the plans, Geographic Information Systems data, and aerial photographs, and walked the site, confirming natural and cultural resources depicted in the "Conservation Analysis" map.

WHEREAS, the Planning Board discussed the conservation analysis at its meeting on February 3, 2005.

WHEREAS, the Planning Board finds that the following features contribute to the Primary Conservation Area:

- Wetlands depicted on the "Conservation Analysis" map.
- Watercourse depicted on the "Conservation Analysis" map.
- Areas of steep slopes

WHEREAS, the Planning Board finds that the following features contribute to the Secondary Conservation Areas:

- The forested areas depicted on the "Conservation Analysis" map.
- The view from Cheechunk Road and Route 17 to the crest of the hill.
- View into the abandoned hayfields from Cheechunk Road and 6 ½ Station Road.
- The 500' Scenic Road Corridor along 6 ½ Station Road.
- The stonewall located adjacent to Cheechunk Road.
- The stonewall located at the rear of the property

NOW THEREFORE BE IT RESOLVED, that the Planning Board determines that based on its preliminary review, the "Conservation Analysis" and these Findings identify the site's natural resources and therefore the applicant is advised to proceed with the application with the following considerations:

- 1) All areas listed as Primary Conservation Areas should be preserved during the design and construction of the development.
- 2) All areas listed as Secondary Conservation Areas should be avoided to the greatest extent practicable.
- 3) The design of the subdivision and Planned Adult Community should consider the following:
  - To the greatest extent practicable, the proposed single-family homes should be clustered in the abandoned hayfield north of Cheechunk Road. These homes should be sited and landscape

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- provided so that the rears of the homes are not visible from Cheechunk Road.
  - Given the significant constraints on the CO zoned portion of the property, particularly wetlands, mature forest areas, visibility of the site, and topography, the design of the proposed Planned Adult Community must be sensitive to constraints. The units should be tightly clustered in the areas most suitable for development but in a manner that is also in character with the rural setting.
  - All units located within the 500 foot Scenic Overlay District should be sited so that the rears of the units are not visible from Cheechunk Road. These units should be of an architectural character that is in harmony with the farm house located just north along 6 ½ Station Road.
- 4) This review is based on preliminary analysis and should not be construed as a final approval of any kind. Upon further analysis of the proposed subdivision application the Planning Board may find it necessary to modify its findings with respect to the Conservation Analysis.

### **Owens Road Associates** sketch plan

Present for the applicant: Steve Esposito

Mr. Esposito explained that they have prepared a site constraints map. They plan to have single-family homes with individual wells and septics. They would preserve the existing hedge rows where possible and use the woodlands for rear yards or buffers. The majority of the open space is in the rear and along the Wallkill River. Ms. Israelski asked about access to the River. Mr. Esposito replied that there is a small strip of land that would connect to an existing farm road. They will be retaining the old trolley roadway.

Ms. Israelski asked if the development is downstream from the landfill. Yes, it is. She questions if the Town would want access to the River. Ms. Cleaver strongly emphasized that if access to the River is made available it should not be done until the chemical clean up has been completed. Ms. Israelski agreed and would like asked if an easement could be established. Mr. Huddleston noted that they should not consider restricting use of the state waterways. This is an issue for the DEC. Mr. Esposito stated that there is a Wallkill River plan, which involves several communities. Mr. Henry noted that the DEC has notified the public when there are potential dangers in their waterways.

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Ms. Israelski asked who would control the open space. Mr. Esposito replied that there are various ways for this to be addressed. It can be a single ownership, or divided between the involved homeowners. They are presenting a sketch plan tonight for feedback. They are also providing access to the River, which is an asset to the community. Mr. Huddleston asked that the applicant consider limiting clearing as much as practicable in the wooded areas.

Mr. Marrella stated that the applicant has done very well in their analysis. He asked if there may be a possibility of encroachment into the wetlands by the individual homeowners. ESA signs were suggested. Mr. Huddleston noted that people will buy these particular lots, because they want them with the wetlands and wooded areas. Mr. Henry asked to see a conceptual layout of the stormwater management system and access to maintain these facilities. Ms. Israelski asked about the size of the homes. Mr. Esposito stated that they will be selling off the lots, but they will show a reasonable footprint with the setback, septic and well constraints.

Mr. Marrella suggested that they may want to provide a larger r.o.w. to the open space, so a full road could be put in. He also suggested that rather than two dead ends at the Trolley line, they should loop the road. Mr. Esposito stated they would look at this possibility.

Mr. Cappello stated that the PB needs to issue lead agency designation. Mr. Esposito will prepare this for the Feb. 17 meeting.

**Meadows of Goshen** request for an extension of preliminary approval

Mr. Halloran explained that the applicant is asking for a six-month extension to the preliminary approval.

VOTE By Proper MOTION, made by Mr. Andrews, seconded by Ms. Cleaver, the Planning Board of the Town of Goshen hereby grants the six-month extension to the preliminary approval to the Meadows of Goshen as requested. Passed unanimously.

Mr. Andrews	Aye	Mr. Huddlestoni	Aye
Mr. Bergus	Aye	Ms. Israelski	Aye
Ms. Cleaver	Aye	Mr. Lupinski	Aye

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**Hills of Goshen** request to permit a reduction in the required depth of new wells

Present for the applicant: Steve Esposito

Mr. Huddleston explained that the applicant requested 375' wells in the EIS, which is beyond the Town's 300' requirement. They have found a problem with sulphur at that level and are now requesting to go back to the 300'. Mr. Henry requested that they show how the hydrologist based his findings. He needs to know where the wells are in relations to the Town's well.

Mr. Cappello asked if the depth of the wells is noted in the Findings and the approvals. Mr. Halloran stated that it is in the Findings Statement. This will require an amendment to the Findings.

#### IV. OTHER BUSINESS

Ms. Kay Myruski is present to express her concerns regarding the setback proposed between her property and the Houston subdivision. Mr. Huddleston explained that he has asked the applicant to extend the T-intersection to their property line rather than shorten it and he is reviewing the plans to see how far away he can site the home that is closest to their property line.

Ms. Myruski has spoken with AG & Markets and they will do an analysis for them, but it will be several months. She explained that when she spoke to Supervisor Bernstein she thought she would be entitled to 100' set back as is allowed in the AI district. Supervisor Bernstein later informed her that this was not the case, it is up to the discretion of the PB. She feels they should be entitled to the same benefits as other AI farmers even though they are in the IU district.

Mr. Cappello assured her that all Ag notes would be on the map. Ms. Myruski noted that she felt they should address these problems now before any homes are built. She is concerned that there will be nuisance complaints regardless of the notes on the plan. Mr. Cappello noted that the zoning code was sent to Ag & Markets for their review and the Town did make revisions.

Mr. Huddleston pointed out that they are discussing code issues, which need to be brought to the Town Board. The Planning Board administers the code, they do not set the code. The issue of storing and spreading manure was also discussed. There appears to be a question if they can spread manure up to the property line. It cannot be stored closer than 100'. If they cannot spread up to the property line, the farmer would lose a large amount of farmable land. Mr. Lupinski noted that in the Town of Wallkill, the board had the farmer build a berm. He feels that this should be dealt with before the possibility of a lawsuit arises. Mr. Cappello will

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review the AG law and our code to try to find an answer to this problem. He notes that the Town may have to modify the code.

Adjournment: The meeting adjourned at 9:30 pm upon motion made by Ms. Cleaver, seconded by Ms. Israelski.

Ralph Huddleston, Chairman

Notes Prepared by Linda P. Doolittle